CITY OF RIVERSIDE
City of Arts & Innovation

CITY COUNCIL MINUTES

TUESDAY, OCTOBER 18, 2016, 2 P.M.
ART PICK COUNCIL CHAMBER
CITY HALL
3900 MAIN STREET

		GARDNER	MELENDREZ	SOUBIROUS	DAVIS	MACARTHUR	PERRY	BURNARD
	WARDS	1	2	3	4	5	6	7
Roll Call:	Present	X	X	A	X	X	X	X
Mayor Bailey called the meeting to order at 2 p.m., in the Art Pick Council Chamber with Councilmember Soubirous absent.								
ORAL COMMUNICATIONS FROM THE AUDIENCE Tom Evans spoke regarding SmartRiverside employee Nicholas Storie. John Deniloss spoke regarding Section 8 housing, a wrongful arrest, and discrimination. Theresa Newham spoke regarding confiscation of a homeless persons' medication. Marilyn Whitney spoke regarding the Agricultural Park.								
<u>COMMUNICATIONS</u>								
LEGISLATIVE REPORT The Intergovernmental relations and legislative update was not held.								
<u>PRESENTATIONS</u>								
PUBLIC UTILITIES DEPARTMENT EMPLOYEE RECOGNITION Mayor Bailey called upon Public Utilities Deputy General Manager Milligan who presented an overview and employee recognition.								
RIVERSIDETV AND AWARD RECOGNITION The City Council received and ordered filed the report recognizing the City Manager's Office Communications Division - RiversideTV and their 2016 American Advertising Federation Inland Empire Media Awards - Government Media Outlet of the Year award.								
<u>DISCUSSION CALENDAR</u>								
FISCAL YEAR 2016-17 INDEPENDENT PERFORMANCE AND FINANCIAL EXPENDITURE AUDITS Following discussion, the City Council (1) received and ordered filed the Scopes of Work for the independent Performance and Financial Expenditure Audits of the Police Department, Museum and Cultural Affairs, Mayor's Office, and the City Manager's Office for Fiscal Year 2016-17; and (2) directed staff to immediately proceed with solicitation of consultants through Request for Proposals.	Motion Second All Ayes				X		X	
Councilmember Soubirous arrived at this time.				X				

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PUBLIC HEARINGS/PLANNING REFERRALS AND APPEALS								
CASE P16-0161 - APPEAL - CONDITIONAL USE PERMIT - PUBLIC CHARTER SCHOOL - 5188 ARLINGTON - PUBLIC HEARING SCHEDULED Hearing was called to consider an appeal by Kyle Knowland of Alta Vista Public Charter School to overrule the Riverside County Airport Land Use Commission findings of inconsistency with the Riverside County Airport Land Use Compatibility Plan for a conditional use permit for a public charter school within a 10,250-square-foot tenant space in an existing multi-tenant commercial shopping center located at 5188 Arlington Avenue. Three people spoke on the matter. The public hearing was officially closed. Following discussion, the City Council (1) expressed its intent, by a 2/3 vote, to adopt the findings contained in the written staff report and within the resolution overruling the Riverside County Airport Land Use Commission findings of inconsistency with the Riverside County Airport Land Use Compatibility Plan; and (2) scheduled a second public hearing for January 10, 2017, at 3 p.m. for consideration of a conditional use permit (Case P16-0161) for a public charter school and Riverside County Airport Land Use Commission override.	Motion Second All Ayes			X	X			
CLOSED SESSIONS								
The Mayor and City Council recessed to the City Council Board Room for closed sessions pursuant to Government Code (1) §54956.9(d)(1) to confer with and/or receive advice from legal counsel concerning City of Riverside v. Mitsubishi Heavy Industries, et al., USDC Case No. 13-CV-1724-BEN (KSC); SCE, et al. v. Mitsubishi Nuclear Energy Systems, et al., International Chamber of Commerce International Court of Arbitration, Case No. 19784/AGF; Order Instituting Investigation on the Commission's Own Motion into the Rates, Operations, Practices, Services and Facilities of Southern California Edison and San Diego Gas & Electric Associated with the San Onofre Nuclear Generating Station Units 2 and 3; CPUC Investigation 12-10-013; (2) Code §54956.9(b)(3)(c) to confer with and/or receive advice from legal counsel concerning Robert Morrow v. City of Riverside, Tort Claim No.: 16-06-20; (3) §54956.9(d)(1) to confer with and/or receive advice from legal counsel concerning Newman Bros. of California, Inc., etc. v. City of Riverside, RCSC Case No. RIC1410298; (4) §54956.9(d)(2) to confer with and/or receive advice from legal counsel concerning one case of anticipated litigation; (5) §54956.9(d)(4) to confer with and/or receive advice from legal counsel concerning one case of anticipated litigation; (6) §54957.6 to review the City Council's position and								

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instruct designated representatives regarding salaries, salary schedules, or compensation paid in the form of fringe benefits of all Executive Management Employees including the City Attorney and City Clerk, all Management and Confidential Employees as defined by PERS, Fire Management Unit, Riverside City Firefighters Association, Riverside Police Officers Association (Police and Police Supervisory Units), Service Employees International Union #721, International Brotherhood of Electrical Workers #47, and Riverside Police Administrators Association.								
RECESS The City Council recessed at 4:16 p.m., and reconvened at 6:15 p.m., in the Art Pick Council Chamber with Mayor Bailey presiding and Councilmembers Soubirous and Mac Arthur absent.				A		A		
The Invocation was given by Councilmember Perry.								
The Pledge of Allegiance was given to the Flag.								
<u>MAYOR/COUNCILMEMBER COMMUNICATIONS</u>								
BRIEF STATUS REPORTS FOR REGIONAL ORGANIZATIONS, CONFERENCES, SEMINARS, AND MEETINGS ATTENDED BY MAYOR AND CITY COUNCIL - WARD UPDATES - ANNOUNCEMENTS Councilmember Burnard reported on the LoveRiverside Day of Service. Councilmember Perry reported on a Ward 6 Community Development Block Grant meeting, a Ward 6 and 7 Measure Z presentation, and the distracted driving presentation. Councilmember Davis reported on the distracted driving presentation, the 21st Anniversary of El Protector Soccer Clinic, the Community Foundation 75th Anniversary gala, the Riverside Neighborhood Partnership Awards, a Ward 4 Community meeting, and Halloween contests. Councilmember Melendrez spoke regarding UCR sports and the Honor Our Heroes event. Councilmember Gardner spoke regarding a Measure Z information meeting. Mayor Bailey spoke regarding the El Protector Soccer Clinic, Walk with the Mayor at Mt. Rubidoux, the Riverside County Transportation Commission 91 Freeway Express Lanes, and the Southern California Association of Governments Housing Summit.								
<u>PRESENTATIONS</u>								
Mayor Bailey called upon Officer Ryan Railsback and the Riverside Youth Council who recognized Martin Luther King High School American Red Cross Club as Inspiring Youth of the Month.								

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Mayor Bailey called upon Riverside African American Historical Society President Rose Mayes who introduced 2016 Eleanor Jean Grier Leadership Academy graduates.								
RIVERSIDE PRIDE SUCCESS REPORT Councilmember Melendrez reported on Zacatecas Café in Ward 2.								
ORAL COMMUNICATIONS FROM THE AUDIENCE Phyllis Purcell, Ely Mayer, Theresa Newham, and Father John Conrad spoke regarding homelessness. Greg Hagans welcomed the City Council and spoke regarding City employees. Rich Gardner spoke regarding a Night of Hope and Joy and dementia. Leticia Pepper spoke regarding the City Council and Proposition 64. Bernice Gunn spoke regarding animal abuse, a traffic accident, the Riverside Police Department, and Measure Z. Mary Humboldt and Dvonne Pitruzello spoke regarding Measure Z. Kevin Dawson and Jason Hunter spoke regarding the outside legal services audit. Karen Wright spoke regarding Measure O, Measure Z, and Proposition 64. Stephen Peltz spoke regarding the support of the City Council and Measure Z.								
<u>CONSENT CALENDAR</u> The following items were approved by one motion affirming the actions appropriate to each item and noting that Purchase and Sale Agreement with 3rd Avenue Storage, LLC relates to property adjacent to the Riverside Water Company Canal.	Motion Second All Ayes						X	X
BOARD AND COMMISSION RESIGNATION AND APPOINTMENT The City Council (1) accepted the resignations of Chloe R. Arias from the Human Relations Commission and Darrell L. Ament from the Board of Public Utilities, effectively immediately, and requested the City Clerk to process the vacancies; and (2) appointed Nicholas R. Chitwood to the Citywide seat on the Human Relations Commission for a term ending March 1, 2020.								
MINUTES The Minutes of the City Council meeting of October 4, 2016, were approved as presented.								
OUTSIDE LEGAL COUNSEL INDEPENDENT AUDIT REPORT The City Council approved Councilmember Soubirous' recommendations to receive and order filed the report on the Independent Audit of City Attorney Engagement of Outside Legal Counsel by Hanson Bridgett, LLP.								

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ANNOUNCEMENT OF COMMITTEE MEETINGS
The Development Committee will meet at 3 p.m. on Thursday, October 20, 2016, in the Art Pick Council Chamber.

CASE P14-0246 - ANNEXATION 118 - CENTRAL/SYCAMORE CANYON - ORDINANCE ADOPTED
The City Council adopted an ordinance amending Section 1.12.020 of the Riverside Municipal Code by adding to the Second Ward the territory known as Annexation 118 - Central/Sycamore Canyon, located northerly of Central Avenue and southwesterly of State Route 60, Interstate 215 Freeway; whereupon, the title having been read and further reading waived, Ordinance No. 7355 of the City of Riverside, California, Amending Section 1.12.020 of the Riverside Municipal Code by Adding to the Second Ward the Territory Designated as "LAFCO No. 2015-08-1 Reorganization to Include Annexation No. 118 to the City of Riverside and Concurrent Annexation to Northwest Mosquito and Vector Control District and Concurrent Detachments from County Service Area 93 and the Riverside County Waste Resources Management District" as of the Effective Date of Such Annexation to the City of Riverside, was presented and adopted.

PURCHASE AND DEVELOPMENT AGREEMENT - CITY-OWNED VACANT LAND - 3909-3917 VAN BUREN
The City Council (1) approved a Purchase and Development Agreement with Dr. Mohammed A. Hassan for $150,000 for the disposition of surplus City-owned vacant land for a medical office development project located at 3909-3917 Van Buren Boulevard, identified as Assessor's Parcel Numbers 191-311-037 and 038; and (2) authorized the City Manager, or his designee, to execute the Agreement, including making minor, non-substantive changes, and to sign all documents and instruments necessary to complete the transaction and to expend up to $5,000 out of sales proceeds for title, escrow and related closing costs.

PURCHASE AND SALE AGREEMENT - MULTI-TENANT COMMERCIAL BUILDING - 3615-3653 MAIN AND 3700 SIXTH
The City Council (1) approved a Purchase and Sale Agreement with D.R.R. Properties, Inc., Newport Beach, in the amount of $3,250,000 for sale of a City-owned multi-tenant commercial building located at 3615-3653 Main and 3700 Sixth Streets, identified as Assessor Parcel Number 213-222-007; and (2) authorized the City Manager, or his designee, to execute the Agreement, including making minor, non-substantive changes, and to sign all documents and instruments necessary to complete the transaction and to expend up to $10,000 for title, escrow and miscellaneous related closing costs.

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DOWNTOWN PARKING AND BUSINESS IMPROVEMENT AREA ANNUAL ASSESSMENT - PUBLIC HEARING SCHEDULED - RESOLUTION
The City Council (1) approved the annual report of the Downtown Parking and Business Improvement Area; (2) adopted a Resolution of Intention to impose the annual assessments for Calendar Year 2017; and (3) scheduled a public hearing for November 15, 2016, at 3 p.m., for the purpose of adopting a resolution imposing the 2017 assessments; whereupon, the title having been read and further reading waived, Resolution No. 23106 of the City Council of the City of Riverside, California, Declaring Its Intention to Levy an Annual Assessment in the Downtown Parking and Business Improvement Area for Calendar Year 2017 Pursuant to Section 36534 of the California Streets and Highways Code, Generally Describing the Improvements and Activities to be Undertaken and Fixing the Time and Place for a Public Hearing Before the City Council of the City of Riverside on the Levy of the Proposed Assessment, was presented and adopted.

REVISIONS TO MEMORANDUM OF UNDERSTANDING - RIVERSIDE POLICE OFFICERS' ASSOCIATION SUPERVISORY UNIT - RESOLUTION
The City Council (1) approved the Memorandum of Understanding (MOU) with Riverside Police Officers' Association Supervisory Unit effective December 2, 2016, through December 31, 2021, incorporating the negotiated revisions; (2) authorized the City Manager, or his designee, to execute the Memorandum of Understanding on behalf of the City; and (3) adopted a resolution amending the Master Fringe Benefits and Salary Plan to reflect the revised MOU provisions as outlined in the written staff report; whereupon, the title having been read and further reading waived, Resolution No. 23107 of the City Council of the City of Riverside, California, Amending Resolution No. 21052 to Amend Parts I, II, III and IV of the Fringe Benefits and Salary Plan, to Reflect Various Updates and Changes, was presented and adopted.

SOLICITING - RIVERSIDE MUNICIPAL CODE AMENDMENT - ORDINANCE INTRODUCED
The City Council introduced an ordinance to amend the Riverside Municipal Code, Chapter 5.08, Business Taxes, Licenses and Regulations - Soliciting, and Chapter 13.20, Streets and Sidewalks - Pedestrian Mall, to prohibit solicitation for money, donations, products, or services on the Pedestrian Mall; whereupon, an ordinance entitled, "An Ordinance of the City of Riverside, California, Amending Chapters 5.08 and 13.20 of the Riverside Municipal Code to Prohibit Solicitation on the Pedestrian Mall at Main Street, Riverside," was presented and introduced.

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BID 7430 - INSTALLATION OF WOOD PLAYGROUND CHIPS AT VARIOUS CITY PARKS
The City Council (1) awarded Bid 7430 to Turboscape, Inc., Lake Elsinore, in the amount of $110,400 from the Park Refurbishing Program Account for delivery and pneumatic installation of certified and engineered wood playground chips at various City parks; and (2) authorized the City Manager, or his designee, to execute the agreement, including making minor and non-substantive changes.

DONATIONS - POLICE SERVICE DOG, TRAINING, AND EQUIPMENT - SUPPLEMENTAL APPROPRIATION
The City Council (1) authorized allocation of $16,500 from Canine Trust Account 0000720-225140 to Miscellaneous Police Revenue Account 0000101-341190; and (2) authorized a supplemental appropriation in the amount of $16,500 to Police Capital Project Account 3195000-462200 for the purchase of a police service dog, the required training, and equipment (fencing and crate).

SURPLUS DECLARATION - PURCHASE AND SALE AGREEMENT - RIVERSIDE WATER COMPANY CANAL PROPERTY - THIRD AND COMMERCE
The City Council (1) approved the surplus property declaration for the sale of a 1,576-square-foot portion of the Riverside Water Company Canal property adjacent to the existing canal; and (2) authorized the City Manager, or his designee, to execute the Purchase and Sale Agreement with 3rd Avenue Storage, LLC, for the sale price of $8,000, including making minor, non-substantive changes, and to sign all documents and instruments necessary to complete the transaction.

AGREEMENT - REQUEST FOR PROPOSAL NO. 1575 - FOURTEENTH STREET UNDERPASS DRAINAGE STUDY
The City Council (1) approved the Professional Consultant Services Agreement with CWE, Fullerton, in an amount not-to-exceed $95,604, from the Public Works Department Budget for preparation of a Drainage Study Report for the Fourteenth Street Underpass to identify potential solutions to reduce flooding of the underpass; and (2) authorized the City Manager, or his designee, to execute the Professional Consultant Services Agreement.

<u>DISCUSSION CALENDAR</u>

RIVERSIDE DOWN PAYMENT ASSISTANCE AND HOUSING REHABILITATION PROGRAM AMENDMENTS
Following discussion, the City Council approved the City Council

COUNCILMEMBERS

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Development Committee recommendations to approve amending the Riverside Down Payment Assistance Program and Housing Rehabilitation Program guidelines to reduce the interest on CalHome deferred loans and on HOME regular and deferred loans from three percent to zero percent.	Motion Second All Ayes	X			X			

COMMUNICATIONS

CITY ATTORNEY REPORT ON CLOSED SESSIONS
Chief Assistant City Attorney Smith announced there was nothing to report on the closed sessions held earlier in the day.

ITEMS FOR FUTURE CITY COUNCIL CONSIDERATION
Councilmember Gardner requested (1) a report on the impact of budget cuts on public safety response times; and (2) a November 15, 2016, report on implementation of Proposition 64, if approved by voters, including dispensaries, production of marijuana, and a potential urgency ordinance.

The City Council adjourned at 8:19 p.m., in honor of Donald W. Mooney.

Respectfully submitted,

COLLEEN J. NICOL
City Clerk